

THE UNIVERSITY OF MICHIGAN
REGENTS COMMUNICATION
ITEM FOR INFORMATION

Received by the Regents
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Subject: Litigation

February 2009

NEW CASES

Colin Riesman v Ringleb, University of Kansas, Shaftel, Hazlett, Gerken, Kosirog, Cooper, McKinney, Consortium of Universities for International Studies, University of Michigan, University of Oregon, John Doe Corporations and John Doe Individuals. District Court of Johnson County Kansas. (Served January 2009).

Plaintiff enrolled in a program offered by the Consortium of Universities for International Studies to study in Italy in the spring of 2008. Plaintiff alleges that, while in Italy, he was falsely charged by program administrators with being an alcoholic. He also claims that an employee of the program assaulted him one night when Plaintiff was trying to assist a fellow student who was intoxicated. Plaintiff claims he was disciplined and later expelled from the program without conducting a hearing. Mr. Riesman's claim against the University, as a member of the Consortium, is fraudulent misrepresentation regarding discrimination, stating that the University participated in the discrimination against Plaintiff based on his perceived handicap (alcoholism). Plaintiff seeks judgment in excess of \$75,000.

RESOLUTIONS

There were no cases closed this month.

CASE UPDATES

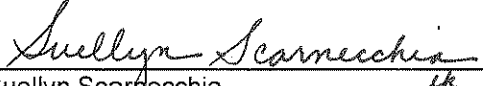
Linda Charlesworth v University of Michigan and Internet2. Washtenaw County Circuit Court. (Judge David S. Swartz) (Filed April 16, 2008).

Plaintiff was employed by the University of Michigan and assigned to work at Internet2. In January 2006, plaintiff's position at Internet2 was eliminated and she was placed on RIF status; and in June 2007 plaintiff retired from the University. Ms. Charlesworth claims that she was discriminated against because of her age and disability. She seeks damages, interest, costs and attorney's fees. Plaintiff amended her complaint to add an allegation of violating the Family and Medical Leave Act as to Internet2 only. The case will go to court-ordered facilitation in April 2009.

James Colson v University of Michigan, Kevin Tremper and Ronald Wasserman. Washtenaw County Circuit Court. (Judge Timothy R. Connors) (Filed August 24, 2007). Michigan Court of Claims. (Judge Beverley Nettles Nickerson) (Filed August 23, 2007).

Plaintiff was employed as an Assistant Clinical Professor of Anesthesiology at the University. Dr. Colson claims that he was told about performance issues from time to time but was not given the opportunity to review his file. In October 2005, Plaintiff was informed that his contract would not be renewed after August 31, 2006. Plaintiff's allegations include breach of contract, promissory estoppel, defamation against the named Defendants Tremper and Wasserman and age discrimination. He seeks damages in excess of \$25,000, costs, attorney's fees and reinstatement to his former position. On August 21, 2008, Plaintiff stipulated to dismiss three of his claims against the University: breach of contract, promissory estoppel and discharge in breach of public policy. Defendants' motion for summary disposition was argued before Judge Connors. On December 19, 2008, Judge Connors granted Defendants' motion and dismissed the case in its entirety. Plaintiff has appealed the decision and the defendants filed a motion for costs.

Respectfully submitted,



Suellyn Scarfiecchia *sk*
Vice President and General Counsel

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